

ORIGINAL

COUNTY OF

UNITED STATES DISTRICT COURT

INDEX NO: 08CV01279

FILED ON: February 6, 2008

DISTRICT: Southern/NY

Fred Alston, As Trustee of the Local 272 Labor Management Pension Fund, et. al.

vs

Plaintiff(s)

Beacon 76th Street Garage Corp.

Defendant(s)

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

**AFFIDAVIT OF SERVICE
BY THE SECRETARY OF STATE**

Stephen L. Collen, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on February 21, 2008, at 9:00am, at the office of the Secretary of State of the State of New York in the City of Albany, New York, deponent served the annexed Summons in a Civil Case, Complaint, Judges Individual Rules and Instructions, Prosedures and Guidelines for Filing, on Beacon 76th Street Garage Corp.

Defendant in this action, by delivering to and leaving with Donna Christie, Authorized Agent, in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State the statutory fee, if required. Service was made pursuant to Section 306 Business Corporation Law.

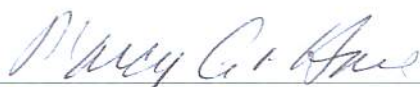
☐ Service was completed by mailing notice of such service and one (1) true copy thereof by ☐ Registered or ☐ 1st Class Mail and Certified Mail, # _____, Return Receipt Requested on _____ to said defendant at: _____.

Papers so served were properly endorsed with the index number and date of filing.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 44 years Approx. weight: 130 lbs Approx. Ht.: 5'5"
Sex: female Color of skin: white Color of hair: brown Other: _____

Sworn to before me on February 21, 2008



MARCY A. O'HARE
NOTARY PUBLIC, State of New York
No. 4885530, Qualified in Albany County
Term Expires July 14, 2010



Stephen L. Collen

Invoice-Work Order # 0801356